

BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of )  
 ) MUR 6677  
Charles Boustany Jr. M.D. for Congress )  
And Alan D. Herbert, as Treasurer )

RECEIVED  
FEB 25 11 20 04  
OFFICE  
C.F.R.

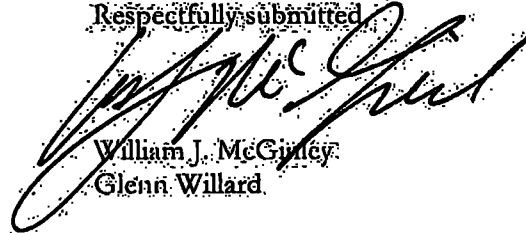
RESPONSE OF CHARLES BOUSTANY JR. M.D. FOR CONGRESS  
AND ALAN D. HERBERT, AS TREASURER, TO THE COMPLAINT

The responds on behalf of our clients, Charles Boustany Jr. M.D. for Congress and Alan D. Herbert, as Treasurer (collectively "Campaign"), to the Complaint filed against them in the above-captioned matter. The Complaint was filed by an attorney for Representative Boustany's opponent, misstates the law, and contains inaccurate information. For the reasons set forth below, we respectfully request that the Federal Election Commission ("Commission") exercise its prosecutorial discretion and dismiss this matter, *Heckler v. Chaney*, 470 U.S. 821 (1985), or, in the alternative, refer this matter to the Alternative Dispute Resolution Office ("ADR").

At its core, the Complaint alleges that the Campaign distributed a mail piece that fails to include the disclaimer required by Commission regulations. *See* 11 C.F.R. § 110.11. However, the address listed on the mail piece and in the Complaint is the Campaign's address, and not the address of its mail vendor as erroneously claimed in the Complaint. *See* Complaint at 1; *see also* Exhibit A. In fact, a search of the address, PO Box 80126, Lafayette, Louisiana 70598, on Google results in the contact page for the Campaign's website being listed as the first webpage in the results. *See* Exhibit B. Moreover, the Campaign distributed more than thirty different mail pieces in the 2012 election cycle that included the proper disclaimer. The mail piece at issue in this matter is the only mail piece where an inadvertent mistake was made.

For the reasons stated above, we respectfully request that the Commission exercise its prosecutorial discretion and dismiss this matter, *Heckler v. Chaney*, 470 U.S. 821 (1985), or, in the alternative, refer this matter to the ADR.

Respectfully submitted,



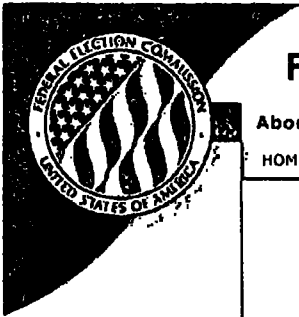
William J. McGinley  
Glenn Willard

PATTON BOGGS LLP  
2550 M Street, NW  
Washington, DC 220037  
P: (202) 457-6000  
F: (202) 457-6315

December 21, 2012

1404747610887





## FEDERAL ELECTION COMMISSION

Skip Navigation

[About the FEC](#) [Press Office](#) [Quick Answers](#) [Contact Us](#) [Site Map](#)
[HOME / CAMPAIGN FINANCE DISCLOSURE PORTAL / CANDIDATE AND COMMITTEE VIEWER / COMMITTEE DETAILS](#)

## Details for Committee ID : C00394866

Two-Year Summary

Report Summaries

Filings

Jump To 2012

[New Search](#)

## Data Catalog

[Data Catalog Home](#)  
[Administrative Fines](#)  
[Bundled Contributions](#)  
[Committee Report Summary](#)  
[Candidate Disbursements](#)  
[Candidate Summary](#)  
[Committee Summary](#)  
[Independent Expenditures](#)  
[Leadership PACs and Sponsors](#)  
[Lobbyist/Registrant](#)



## Maps

[Presidential](#)  
[House & Senate](#)  
[House Independent Expenditures](#)  
[Senate Independent Expenditures](#)



## Charts

[PACs](#)  
[National Parties](#)



## Search

[Candidate & Committee Viewer](#)  
[Data Catalog](#)  
[Reports & Statements](#)  
[Image Search](#)  
[Electronic Filing Search](#)  
[Electronic Filing RSS Feed](#)  
[Independent Expenditure Search](#)  
[Candidate & Committee Summaries Search](#)  
[Individual Contribution Search](#)  
[Committee Search](#)  
[Candidate Search](#)



## Download

## Export Options:

[Metadata](#) [XML](#) [CSV](#) [JSON](#)

## CURRENT COMMITTEE INFORMATION

C00394866

Name: CHARLES BOUSTANY JR. MD FOR CONGRESS, INC.

Address: PO BOX 80126, LAFAYETTE, LA 705980126

Treasurer Name: Hebert, Alan D. Mr.

Type: H - House

Designation: P - Principal Campaign Committee Of A Candidate

Party: Republican Party

## CANDIDATE INFORMATION

Boustany, Jr, Charles W.

ID:

H4LA07029

Office: H - House

State: LA, District: 03

# EXHIBIT B

+You Search Images Maps Play YouTube News Gmail Drive Calendar More -

GOOGLE

PO Box 80126, Lafayette, Louisiana 70598

Sign in

Web Images Maps Shopping More Search tools

About 10,100 results (0.20 seconds)

### Contacts - Charles Boustany for Congress

[www.charlesboustany.com/contacts/contacts](http://www.charlesboustany.com/contacts/contacts)

... you would like to share with the campaign? Please feel free to contact me: Charles Boustany, Jr., MD for Congress, Inc. **PO Box 80126, Lafayette, LA 70598** ...

### Find Your Candidates - Election Results

[www.vaprosperty.com/candidateguide\\_survey.asp?g...st...](http://www.vaprosperty.com/candidateguide_survey.asp?g...st...)

Charles Boustany Jr. (Republican) **PO Box 80126, Lafayette LA 70598**

<http://www.charlesboustany.com/contacts/contacts>

<http://www.charlesboustany.com/> ...

### Charles Boustany, Jr., Candidate for U.S. Representative 3rd ...

[vote-la.ng/intro.aspx?state=la&id=laboustanycharlesjr](http://vote-la.ng/intro.aspx?state=la&id=laboustanycharlesjr)

Click to go to the Official Louisiana Election Authority Website --> We are not associated with any election ... 337-261-0041. **P. O. Box 80126, Lafayette LA 70598** ...

### Medicaid Contacts - Louisiana Department of Health and Hospitals

[new.dhh.louisiana.gov](http://new.dhh.louisiana.gov) · DHH · Medicaid

70+ items - **P. O. Box 91030, Baton Rouge, LA 70821-9030**; Click here for ...

ACADIA PARISH 117 Production Dr., **P. O. Box 80708, Lafayette, LA 70598** ...

ALLEN PARISH 403 Baker Street, **P.O. Box 559, Jennings, LA 70546-0559**

### Representative Charles Boustany, Jr. Biography - Project Vote Smart

[votesmart.org/candidate/biography/35511/charles-boustany-jr](http://votesmart.org/candidate/biography/35511/charles-boustany-jr)

Campaign Post Office Box 80126, Lafayette, LA 70598. Phone: 337-261-0041.

Washington, D.C. 1431 Longworth House Office Building Washington, DC 20515 ...

### Show All Members - Greater Lafayette Chamber of Commerce ...

[business.lafchamber.org/list/.../government-education-individuals-8.h...](http://business.lafchamber.org/list/.../government-education-individuals-8.h...)

123 items - 705 W University Ave. Lafayette, LA 70506. (337) 281-8300.

Congressman Charles Boustany Jr. **P.O. Box 80126 Lafayette, LA 70598**. (337) 261-0041 ...

### Louisiana - Campaign Finance Search

[www.campaignmoney.com/political/.../louisiana\\_politics.asp?cycle=1...](http://www.campaignmoney.com/political/.../louisiana_politics.asp?cycle=1...)

50+ items - **Louisiana Politics 2012 - Money, Candidates in 2012, Louisiana** ...

Candidate Name	Total Money Receipts	District	Candidate Type
Rodney M Alexander	\$739,671	05	Incumbent
Dr Charles Boustany Jr	\$1,489,637	07	Incumbent

### Charles Boustany Jr Md For Congress, Inc 2010 - Money, Politics ...

[www.campaignmoney.com/.../charles-boustany-jr-md-for-congress-i...](http://www.campaignmoney.com/.../charles-boustany-jr-md-for-congress-i...)

100+ items - Address, **PO BOX 80126, LAFAYETTE, LA 70598** ...

Name/ Location	Employer/ Occupation
Schilling, Herbert E. II Lafayette, LA 70503	Schilling Distributing Co Inc./Pres
Schilling, Renee V. Lafayette, LA 70503	Hornmaker/Hornmaker

### QUALIFYING: Louisiana's Dems Appear To Be The Party Of The ...

[thahayride.com/.../qualifying-louisianas-dems-appear-to-be-the-party...](http://thahayride.com/.../qualifying-louisianas-dems-appear-to-be-the-party...)

Aug 16, 2012 - **P. O. Box 80126, Lafayette LA 70598**, White. 337-261-0041, Male.

"Jeff" Landry, 08/15/2012, Republican. **P. O. Box 13816, New Iberia LA** ...

### Charles Boustany for Congress - Southwest Louisiana Tea Party

[lakecharlesteatparty.ning.com/group/charles-boustany-for-congress](http://lakecharlesteatparty.ning.com/group/charles-boustany-for-congress)

Charles W. Boustany Jr. 08/15/2012, Republican. **P. O. Box 80126, Lafayette LA 70598**, White. 337-261-0041. Male. Members: 3. Latest Activity: Oct 29. Like ...

### Lafayette, LA 70598



Ads

### Don't Get a PO Box

[www.mailboxforwirding.com/](http://www.mailboxforwirding.com/)

Real Street Address for \$14.95/mo. We Scan Your Mail To Read Online.

### Louisiana Address

[www.whitepages.com/](http://www.whitepages.com/)

Search by Name, Business, Area Code Zip Code, Reverse & More. All Free! 7,128 people +1'd this page

### Post Office Boxes

[www.ask.com/Post+Office+Boxes](http://www.ask.com/Post+Office+Boxes)

Search for Post Office Boxes Look Up Fast Results now!

### Po Boxes

[www.local.com/](http://www.local.com/)

Looking For Po Boxes? Find It By Location With Local.com!

### Lafayette Post Offices

[www.yellowpages.com/](http://www.yellowpages.com/)

Find local post offices near you. Local listings only at YellowPages.

See your ad here -